September 20, 2018

To whom it may concern:

This letter is being sent on behalf of the North Carolina Crisis Intervention Team (CIT) State Committee to address questions and concerns that have arisen following the expansion of the Basic Law Enforcement Training (BLET) module on Mental Illness (MI) and Intellectual and Developmental Disorders (IDD) from eight to twenty-four hours. These questions and concerns center around the overlap in curriculum between this expanded BLET training and the forty-hour CIT programs in North Carolina, and are as follows:

- Should officers who've completed the expanded BLET curriculum on MI & IDD be considered to have "CIT certification?"
- Should officers who've completed the expanded BLET curriculum also complete CIT training?
- Is CIT still necessary now that the mental health training in BLET has expanded to 24 hours?

The NC CIT Committee considered these questions, and reached the following conclusions:

- Officers who complete the expanded BLET curriculum should <u>not</u> be considered "CIT certified" until they have also successfully completed CIT training.
- While some similarities exist between the expanded BLET curriculum and CIT curriculum, they are not equivalent. CIT builds upon the information presented in the BLET and includes relevant information that is not contained in the BLET curriculum.
- CIT remains a necessary and vital component of a community's response to individuals with mental illness who are in crisis.

While we are pleased that North Carolina's law enforcement training and standards commission has increased the hours of basic education about mental illness that newly recruited officers receive, this expanded education is not a substitute for CIT training for many reasons, including the following:

1. The BLET provides basic education for recruits in training to become law enforcement officers. In contrast, CIT is advanced training that should be provided to experienced officers who are able to put into context the CIT training they receive. Research indicates that these more experienced officers retain CIT related information better than those with less experience.
2. CIT training includes information about local facilities and agencies that may serve as resources that officers can access for those in crisis. Site visits to those facilities also enable officers to learn about those local facilities and provide opportunities to connect with their staff. BLET does not provide local community information and opportunities for connection.
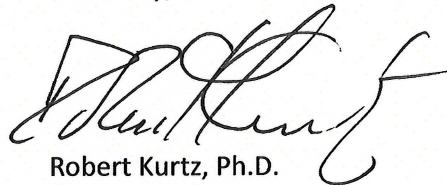
3. BLET does not typically include direct interpersonal contact with persons with mental illness, or opportunities to address officers' prejudice towards and stigmatization of people with mental illness. CIT does include direct interpersonal contact between officers and persons living with mental illness – a strategy that research has shown to reduce prejudice and stigmatization.

4. New recruits in BLET are often overwhelmed by the challenge of learning "the basics" of being a law enforcement officer. CIT training assumes knowledge of those basic law enforcement skills, enabling the prospective CIT officer to focus exclusively upon learning those skills needed to intervene effectively with persons in crisis. CIT training helps officers understand when they may need to shift from those tactics more typically employed by law enforcement to tactics appropriate to assist persons in crisis.

5. While all officers must complete BLET, not every officer should become a CIT officer. The Memphis model of CIT training advises that only a subset of officers with the interpersonal skills and natural abilities to help people in crisis should be assigned CIT responsibilities. Selecting the most skilled officers to become CIT officers improves the outcomes of law enforcement interventions with persons with mental illness.

6. Finally, while the BLET focuses only on training, CIT is not just training. CIT involves law enforcement, mental health professionals, advocates and others working together to improve their community's response to individuals with mental illness who are in contact with the criminal justice system, including the development of a crisis infrastructure to support individuals in crisis.

The NC CIT Committee is composed of representatives from all of North Carolina's CIT programs, and includes in its membership law enforcement officers, mental health professionals, advocates, and others. It is responsible for providing guidance and support for all CIT programs in North Carolina. The advice and recommendations contained in this letter are also consistent with national authorities on implementation of CIT, including CIT International.

If you have further questions or concerns about this letter and its contents, about the NC CIT Committee, or about other issues related to CIT in North Carolina, please contact Bob Kurtz at 919-715-2024 or by email at bob.kurtz@dhhs.nc.gov.

Sincerely,

Robert Kurtz, Ph.D.
Program Manager

September 3, 2020

Dear Honorable members of the North Carolina Task Force for Racial Equity in Criminal Justice,

I am writing on behalf of the National Association of Social Workers North Carolina Chapter (NASW-NC). NASW-NC is a membership organization that promotes, develops, and protects the practice of social work and social workers. NASW-NC seeks to enhance the effective functioning and well-being of individuals, families and communities through its work and advocacy.

For far too many students, entering the gateway to incarceration begins with a referral from the classroom to the courtroom, also known as the school-to-prison pipeline. NASW-NC asks the Task Force to make the following policy recommendations for North Carolina:

1. Invest in nationally recommended number of health support staff such as school social workers, counselors, psychologists and nurses to better address the needs of students in public schools
2. Make school-based mental health services available to all K-12 students in North Carolina
3. Reduce the number of school resource officers (SROs) statewide.

Both of these recommendations align with the Task Force's charge of "addressing existing policies and procedures that disproportionately affect communities of color and developing solutions to ensure racial equity in North Carolina's criminal justice system."

The Need for School Social Workers and School-Based Mental Health Services

- Between **18-20% of students have mental health issues significant enough to cause impairment** to major life functions, only 1 in 5 receive the necessary services.
- Students of color, students from low income families, and students with disabilities are at greater risk for mental health challenges, but are even less likely to receive the appropriate services.
- Students with untreated mental health issues may develop more significant problems which can greatly impact their educational experience and result in poor educational outcomes including the possibility of dropping out of school.

School social workers address all these needs.

According to the National Association of Social Workers, school social work services should be provided at a ratio of **one school social worker per 250 students**.[1] In 2018, the **North Carolina Department of Public Instruction (DPI) reported the ratio in North Carolina is one school social worker to 1,427 students.[2]**

The benefits of investing in mental health services are clear: Schools with such services see improved attendance rates, better academic achievement, and higher graduation rates as well as lower rates of suspension, expulsion, and other disciplinary incidents. Data shows that the presence of school-based mental health providers not only improves outcomes for students but can also improve overall school safety.[3]

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[1] https://www.socialworkers.org/news/news-releases/id/1633/nasw-highlights-the-growing-need-for-school-social-workers-to-prevent-school-violence
[2] https://files.nc.gov/governor/SISP_Overview.pdf
[3] https://www.aclu.org/report/cops-and-no-counselors

North Carolina's Racial Disparity of Student Arrests

School disciplinary policies with the use of SROs disproportionately affect Black students. In the U.S., Black students are suspended and expelled three times more than white students and are, therefore, more likely to be in contact with the juvenile justice system within the calendar year.[4] In North Carolina, black students are nearly six times more likely to be arrested at school and school activities than white students, according to federal data.[5] This disparity is among the worst in the country.

Law enforcement arrested more than 600 North Carolina students on public school grounds, during off-campus school activities or on school transportation during the 2015-16 school year, according to the data from the U.S. Department of Education. In North Carolina, 9.2 out of every 10,000 black students were arrested, compared to 1.6 white students. Only three other states – West Virginia, Iowa and Rhode Island – had a higher disparity between the arrest rates of black and white students.[6]

There is no evidence that increased law enforcement presence in schools improves school safety. In many cases, it causes harm. When in schools, law enforcement officers do what they are trained to do, which is to "patrol and secure". This leads to greater student alienation and a more threatening school climate. The glaring deficit of mental health staff in schools and the growing use of law enforcement in schools to aid in disciplinary measures is a dangerous combination and a central reason the most vulnerable students are being funneled into the school-to-prison pipeline.

A recent evaluation of the impact of North Carolina's state grant program for school resource officers (SROs) concluded that middle schools that used state grants to hire and train SROs did not report reductions in serious incidents like assaults, homicide, bomb threats, possession and use of alcohol and drugs, or the possession of weapons.[7] Research has indicated that having school-based law enforcement contributes to less inclusive school climates, and this makes students less safe.[8]

North Carolina should be supporting students' mental health and wellbeing, not policing them. Reducing the number of SROs and hiring more school social workers will provide a better link between the home, school and community through support services that positively impact the development of the whole child.

We thank the Task Force for your consideration to recommend North Carolina invest in social workers, counselors, psychologists and nurses; invest fully in school-based mental health services; and reduce the number of school resource officers as a part of the solution to address racial disparities in the North Carolina Criminal Justice system.

Sincerely,

Valerie Arendt, MSW, MPP
Executive Director
varend.naswnc@socialworkers.org

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[4] https://ocrdata.ed.gov/downloads/crdc-school-discipline-snapshot.pdf

[5] https://www2.ed.gov/about/offices/list/ocr/docs/crdc-2015-16.html

[6] https://www2.ed.gov/about/offices/list/ocr/docs/crdc-2015-16.html

[7] https://files.eric.ed.gov/fulltext/EJ1192862.pdf

[8] https://www.endzerotolerance.org/school-policing

FTO Phases/Stages

Phase I

- 28 Days
- 90% Training/ 10% Evaluation
- FTO #1

Phase II

- 28 Days
- "Solo Performance"
- FTO #2

Phase III

- 28 Days
- 90% Evaluation/ 10% Training
- FTO #3

Phase IV

- 14 Days
- "One Man Car"
- Back to FTO #1

Phase V

- 14 Days
- Traffic Division
- No FTOs

Phase VI

- 14 Days
- "C-O-P"
- No FTOs

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- "One Man Car"
- Back to FTO #1

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- 14 Days
- Traffic Division
- FTO # 1

Phase VI
- 14 Days
- "C-O-P"
- P.O.P.
- FTO # 1

PROBATIONARY TRAINING

Phase I

2 WEEKS

• IN-FORCE FAMILIARIZATION

*   INTRO TO POLICING

Phase II

•20 WEEKS

•ACADEMY TRAINING

•STUDENT CENTERED, INTERACTIVE, PARTICIPATIVE, SKILLS-BASED APPLICATION OF LAW

Phase III

12 WEEKS

* FTO – PART I

• PHASES # 1, 2, AND 3

Phase IV

2 WEEKS

•FTO – PART - II

• PHASE # 4

Phase V

2 WEEKS
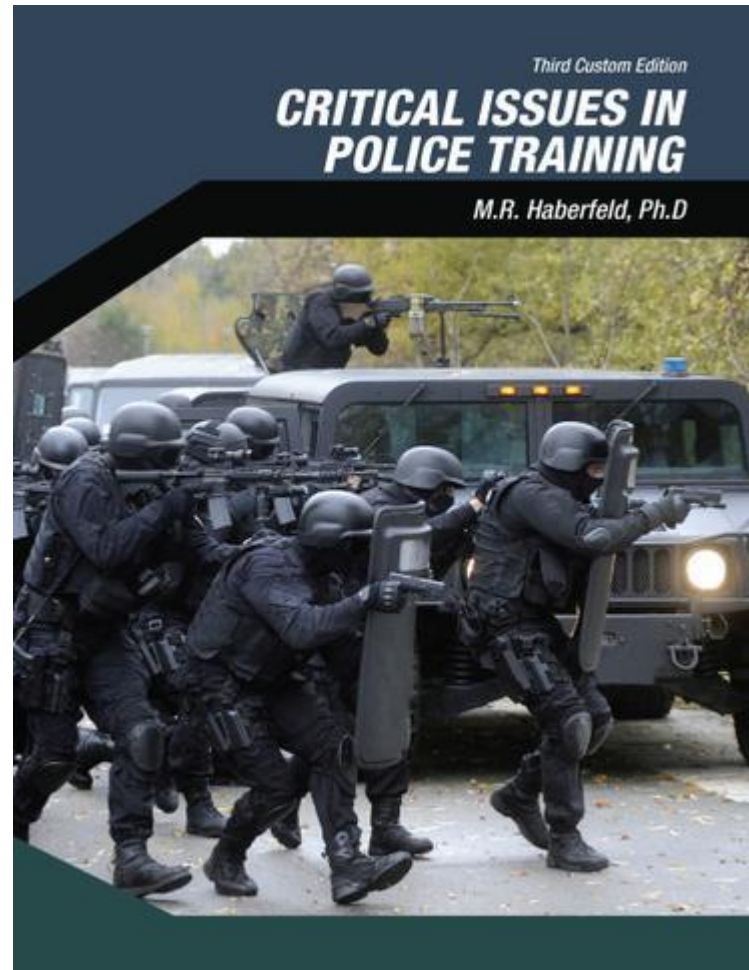
• FTO – PART III

• PHASE # 5

Phase VI

2 WEEKS

• FTO – PART IV

• PHASE # 6

https://www.redshelf.com/book/1156309/critical-issues-in-police-training-third-custom-edition-1156309-9780136199571-maria-r-haberfeld-phd

- Dr. Maria (Maki) Haberfeld

Third Custom Edition

CRITICAL ISSUES IN POLICE TRAINING

M.R. Haberfeld, Ph.D

The Main Concepts Identified

- BLET versus ISR versus Specialized and Executive – 4 types of training needed
- New Topics : Leadership, Stress Management, Open Communication Policing, Multicultural
- Old Topics Revamped: Communication Skills, Technology and Police Community Relations, Tactical Skills including proficiency in Martial Arts, Ethics and Integrity embedded into each of the training modules
- Qualifications for Instructors
- Length – scope of the modules plus interconnectivity of the subjects
- FTO training – based on the Best Practices Model
- Andragogy versus Pedagogy – students' input especially during the ISR training

- Police officers need to receive ALL the critical skills during the basic academy training, if they do not – they will not absorb well and internalize properly the follow up during the F.T.O. and in service training, especially when it comes to the new training modules introduced in the aftermath of a high profile event, because these types of training are perceived as punitive rather than corrective.

- Based on the above, it is critical to identify all the necessary components and the delivery methods for the BLET.

- https://www.springer.com/us/book/9780387369549?gclid=EAIaIQobChMI0N2B4ZrS6wIVAobICh3H4AwoEAQYASABEgLY9fD_BwE

Carl B. Klockars
Sanja Kutnjak Ivkovic
Maria R. Haberfeld

Enhancing Police Integrity

Springer

New Topics for both BLET and ISR

- Leadership

- Stress Management

- Open Communication Policing

- Multicultural

- For further clarifications: Slides attached in PP formats

Societal Implications of Community Oriented Policing and Technology
The new concepts for the old ideas of Community Oriented Policing

- https://www.springer.com/gp/book/9783319892962
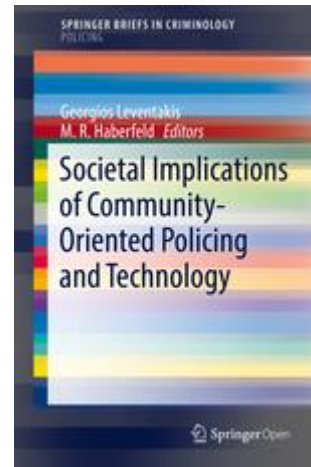
Open Communication Policing and Technological Innovations
The **new** concepts for the old ideas of Community Oriented Policing

- https://www.springer.com/gp/book/9783319892931

Synergy of Community Policing and Technology

- https://www.springer.com/gp/book/9783030002985
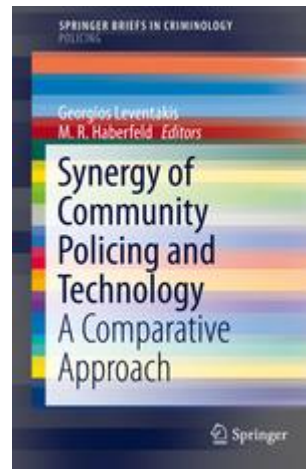
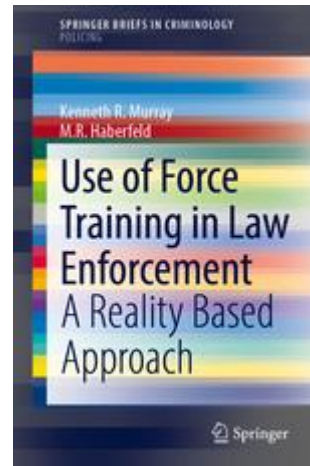# FTO training – based on the Best Practices Model Including **Andragogy** versus **Pedagogy** Models

- Slides attached in the PP format

- Attention needs to be paid to the selection of the F.T.Os as well as the content of the delivery

- https://www.springer.com/gp/book/9781461407447

Use of Force Training – A Reality Based Approach
Enhancing the Tactical Skills

https://www.springer.com/gp/book/9783030598785
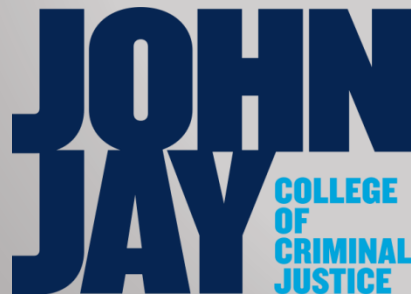
Policing is Hard on Democracy

- The public demands the same results but with different means and processes.

- While there is no call for the abandonment of the idea of law enforcement, the call for results achieved through transparency and full accountability cannot be ignored or silenced.

Or – Democracy is Hard on Policing

- How do we then reconcile the demands of the public with the strategic and operational field responses that achieve the required results yet through the use of different means and considerations?

- At what point police officers need to abandon their concern of offending the larger public they are sworn to serve and protect in favor of actually saving those lives?

- At which point they will need to ignore their own departmental rules and regulations to save lives?

Managers and Leaders

Managers – bureaucratic, short term thinkers embedded in routine and inflexibility

Leaders – develop new ideas to long-standing problems, they are shaping the bigger picture of the organization. Seek out risk and danger, often emotionally intense

Leadership Traits Can be Learned (Bennis and Nanus)

Attention through vision – have an agenda and are result oriented

Meaning through communication – have the capacity to project / articulate meaning

Trust through positioning – operate with integrity and buy into their own ideals

Deployment of self through positive self-regard – project acceptance, respect, trust

THE PATH-GOAL THEORY OF LEADERSHIP-

1. Subordinates will be motivated if:

   - they are capable of performing their work

   - their efforts will result in a certain outcome

   - the payoffs for doing their work are worthwhile

2. Leaders help subordinates define their goals and clarify their work

3. Leaders remove obstacles and provide support

4. Leaders select a style of leadership that is best suited to their subordinates:

   - **directive leadership**

   - supportive leadership

   - participative leadership

   - achievement-oriented leadership

Leader Styles

- **Directive leadership** gives subordinates instruction about the task (complex)

- **Supportive leadership** attends to the well-being and the human needs of the subordinate (repetitive)

- **Participative leadership** consults with the subordinate and integrates his/her suggestions (control)

- **Achievement-oriented leadership** establishes a high standard of excellence (excel)

RECOGNIZING AND REWARDING EMPLOYEES

Bowen, 2000

THE HUMAN NATURE OF WORK

- Learn the art of communicating with others in their "language"- both to understand better and to be understood.
- Be aware and respectful of personal boundaries – BUT – Make them understand the nature and extent of organizational boundaries:
➢Authority
➢Task
➢Politics
➢Personal identity

THE HUMAN NATURE OF WORK

- The difference between

Controlling and Influencing

STEWARDSHIP

- Entrusted with the care and safekeeping of all valued employees
- Employees are credited with intelligence, accountability and motivation
- Employees are not "owned" or "controlled' – they are resource of the organization "on loan"
- Employees are recognized as partners with the leaders

SL = High IQ+ High EQ + High SQ +High C (Haberfeld, 2006, 2013)

- In the second half of the 20th century human intelligence received a totally new and different orientation and understanding as social scientists began looking at intelligence as a social rather than physical phenomenon. New levels of intelligence were identified, dividing this quality into four, separate categories:

1. Intellectual intelligence = IQ

2. Emotional intelligence = EQ

3. Social intelligence = SQ

4. Change intelligence = CQ

In Search of the New Leader

- **Intellectual intelligence (IQ)** the only one identified as a genetic trait, is revealed in curiosity, honed by discipline and supported by a range of experiences.

- **Emotional Intelligence (EQ)** depends upon the level and ability to recognize your own emotions, the ability to handle them and the level of control one exercises over those emotions.

- **Social intelligence (SQ)** is the ability to recognize emotions in others, the ability to listen and care about others' emotional state and the ability to help others to gain control and manage their own emotions.

- **Change intelligence (CQ)** calls for the ability to recognize the need for change, the ability to understand the change process and a level of comfort in managing it (Clawson, 2003).

SL = Successful Leader

- This is not to say that anybody who does not fit the SL formula cannot be a good leader or a successful one but, the degree to which one is deficient in one of the variables will significantly affect his/her overall leadership success thus:

SL = High IQ+ High EQ + High SQ +High CQ

Five Step Approach
to
Integrity Management utilizing

the SL (SUCCESSFUL LEADER) Formula

QUESTION 1:

DO OFFICERS IN THIS AGENCY KNOW THE RULES?

Action Response:

If they do, fine. Where they don't, teach them.

QUESTION 2:

HOW STRONGLY DO THEY SUPPORT THOSE RULES?

Action Response:

If they support them, fine. Where they don't, teach them why they should.

QUESTION 3:

DO THEY KNOW WHAT DISCIPLINARY THREAT THIS AGENCY MAKES FOR VIOLATION OF THOSE RULES?

Action Response:

If they do, fine. Where they don't, teach them.

QUESTION 4:

DO THEY THINK THE DISCIPLINE IS FAIR?

Action Response:

If they do, fine. Where they don't, adjust discipline or correct their perceptions.

QUESTION 5:

HOW WILLING ARE THEY TO REPORT MISCONDUCT?

Action Response:

If they are willing, fine. Where they are not, find ways of getting them to do so.

THE PENTAGON OF POLICE LEADERSHIP:
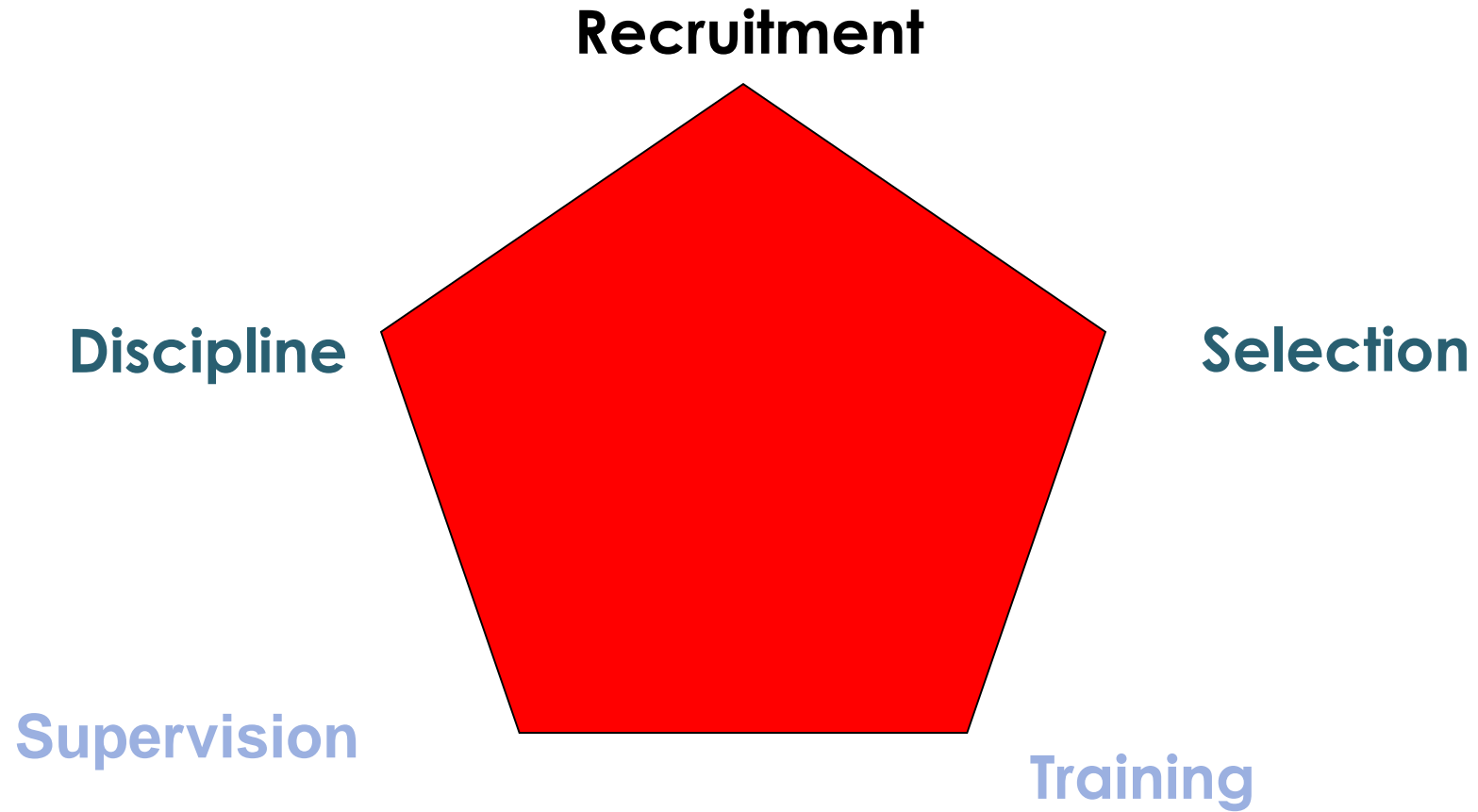
Recruitment

Discipline

Selection

Supervision

Training

- **Goldstein** and the **Problem Oriented Policing –** from **Reactive to Proactive**

The SARA Model

Scanning

Analyzing

Responding

Assessing

THE COMMUNITY POLICING ERA

- Change in philosophy (?)
- Change in orientation (?)
- Change in recruitment/selection
- Change in training (?)
- Change in deployment
- 2020 - Change in Public's Attitude

THE COMMUNITY POLICING ERA

- "We" - can do it together

  Ownership

  Expectations

  Commitment

  Understanding

  Trust

  Accountability

  Training

ARE WE IN THE PREDATORY ERA (?)

- "Policing is hard on **Democracy**"

- Policing "**the Community**"

- Policing during **COVID and UNREST**

POLICING IN THE 21ST CENTURY

- Intelligence Led Policing

- Predictive Policing

- Evidence Based Policing

- New Tactics

- New Tactics?

WARRIOR OR GUARDIAN OR BOTH?

New equipment

Technology

New recruitment standards

Quality

IQ +EQ+SQ+CQ

Performance

THE TQM APPROACH

- Make customer satisfaction the primary goal and ultimate measure of service quality

- Broaden the definition of "customer" – internal and external

- Develop a common vision – based on the extended customer requirements

THE TQM APPROACH

- Provide expanded education and training and self-improvement opportunities – leadership skills

- Recognize, support, and acknowledge employee loyalty, trust and team participation

- Provide the proper tools and training for EVERYONE to respond extended customer requirements

TQM IN POLICE ENVIRONMENTS – REALITY CHECK

- One customer's satisfaction is another customer's dissatisfaction

- Not enough leaders in l/e to set clear and visible quality values

- Resources for training and education are scarce

- Police work is still reactive in nature

TQM IN POLICE ENVIRONMENTS – REALITY CHECK

- Fast response to customer need does not guarantee satisfaction

- Prevention of certain problems such as: gambling, drugs, prostitution – limited

- Improvement is conditioned upon resources that are controlled by external environments

POLICE ARE HAUNTED BY ACCOUNTABILITY

- Internal

- External

- The Media

- The Public

POLICING IS HARD ON DEMOCRACY

- The public demands the same results but with different means and processes.

- While there is no call for the abandonment of the idea of law enforcement, the call for results achieved through transparency and full accountability cannot be ignored or silenced.

MAINTAINING ORDER

THE PENTAGON

OF

POLICE LEADERSHIP

Dr. Maria (Maki) Haberfeld

- Education
- Multiculturalism
- Age
- Availability
- Pressure
- Competencies

RECRUITMENT

- Availability
- Political considerations
- Manageability
- Formal versus Informal Goal
- Pressure

SELECTION

- State

- Regional

- In-house

TRAINING

➤ Ratio

➤ Quality

➤ The Blue Wall of Silence

➤ Ready and Willing

  * Ready but not willing

  * Willing but not ready

  * Not willing and not ready

  * Ready and Willing

SUPERVISION

- Clear

- Swift

- Severe

- Acceptable

- Accepted

DISCIPLINE

THE PENTAGON OF POLICE LEADERSHIP
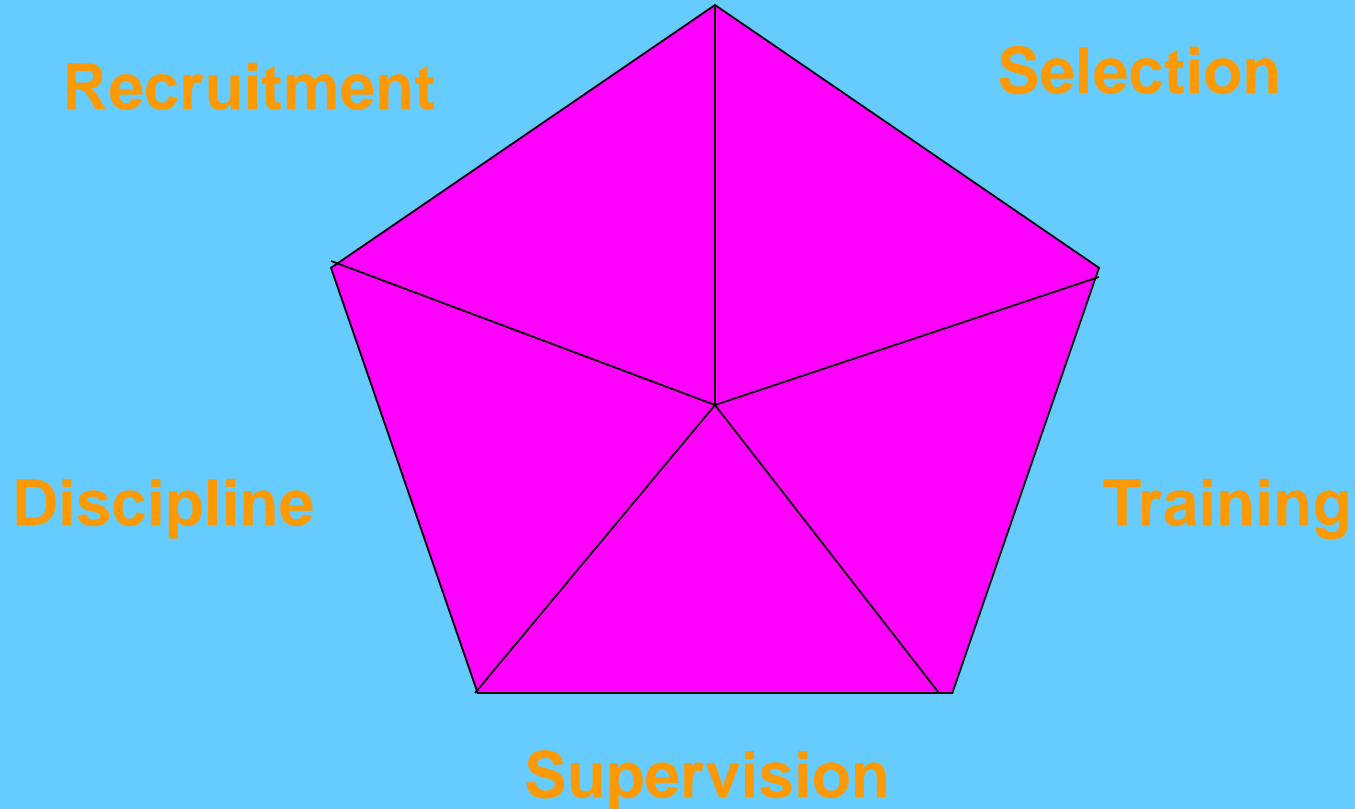
Recruitment

Selection

Discipline

Training

Supervision

PROACTIVE TRAINING ▮

Community Oriented Leadership

Multicultural Close Contact

Practical Skills

Open Communication Policing

PROACTIVE TRAINING ❚❚

Practical Skills

Open
Communication
Policing

Community
Oriented
Leadership

Multicultural Close
Contact
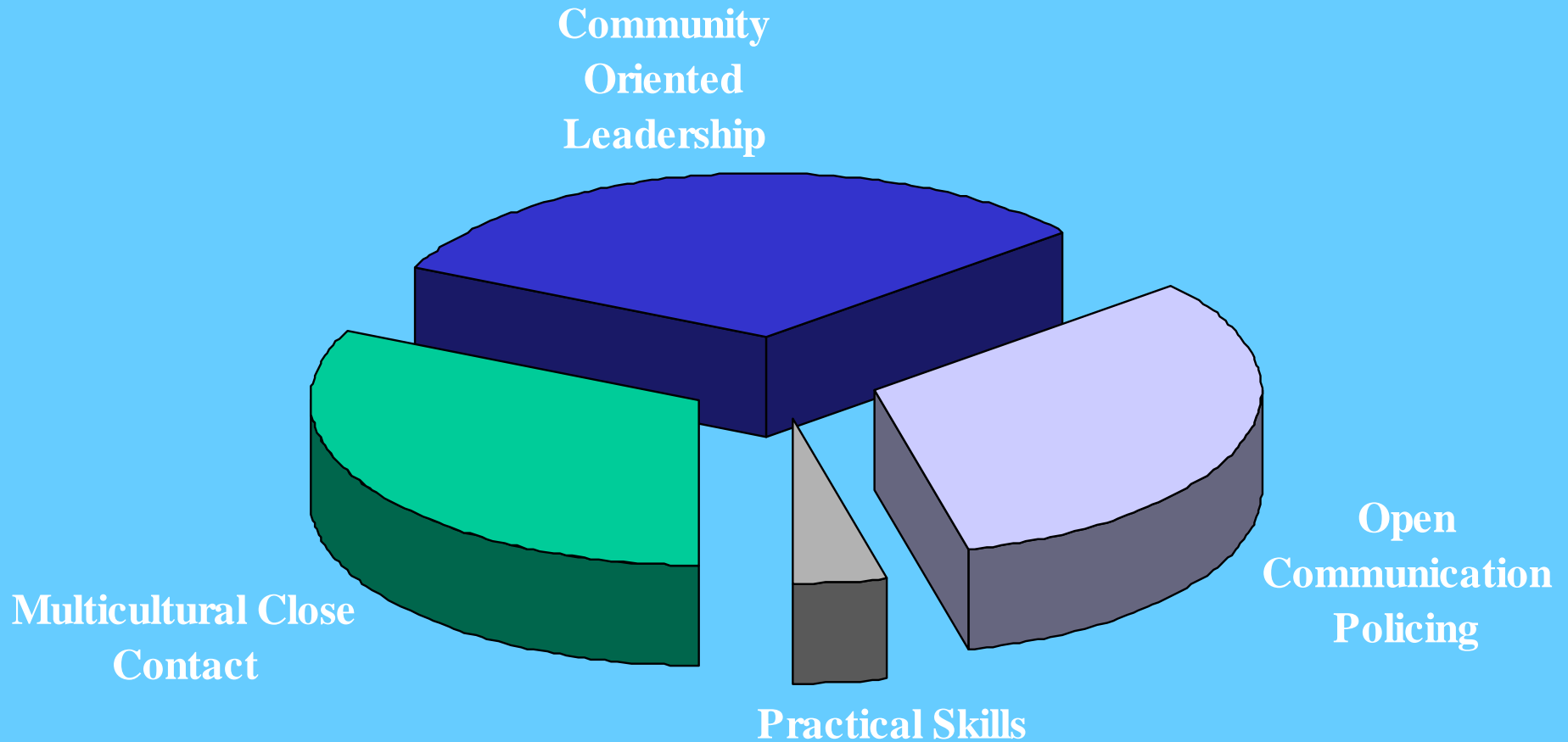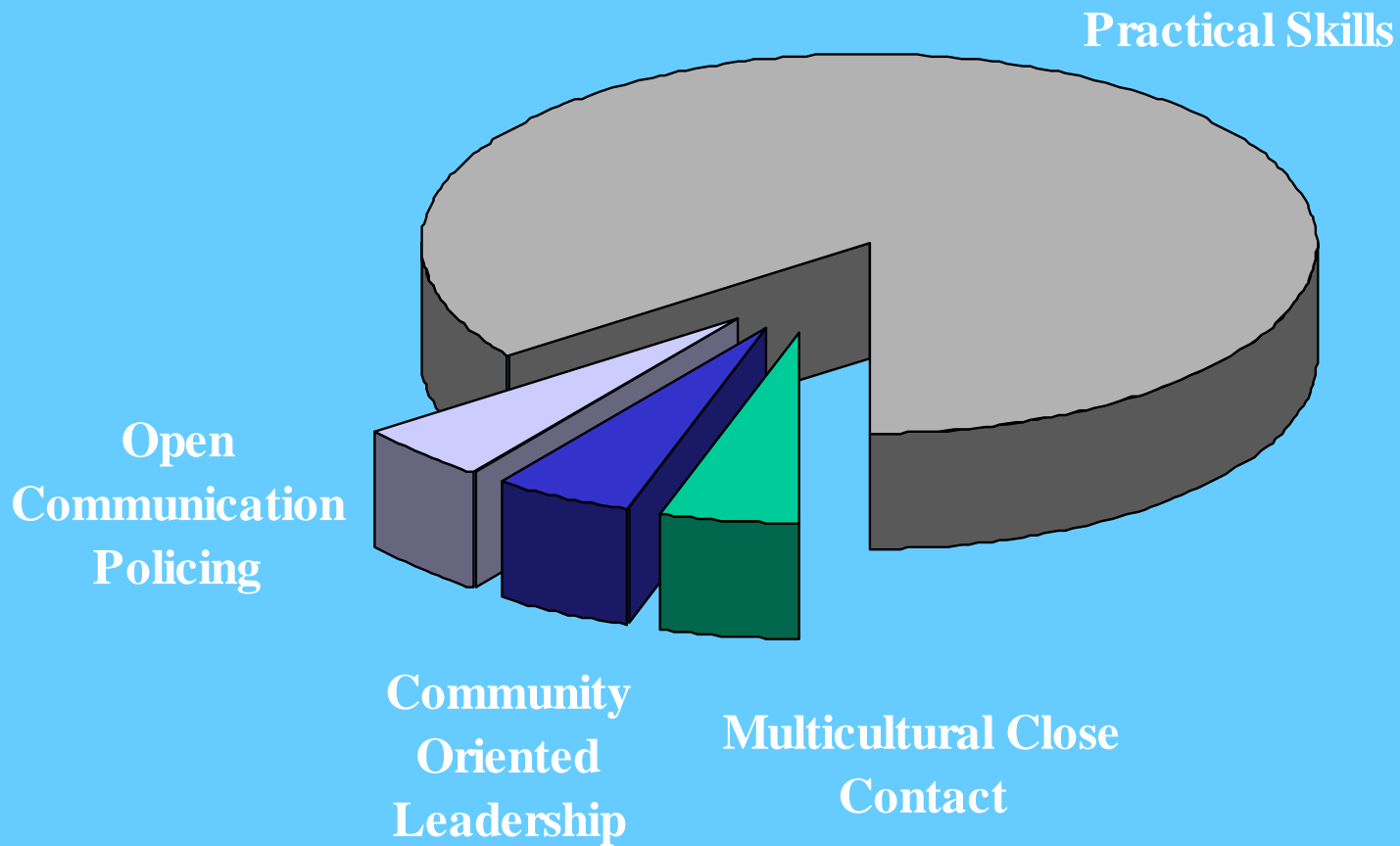
North Carolina Association of Chiefs of Police

Law enforcement excellence for tomorrow . . . *today.*

Workforce on Police Professionalism

Recommendations on the Evolution of 21st Century Policing

September 1, 2020

Preface

Police Chiefs in North Carolina have pursued improvements in policing for years, including a forum of 60 chiefs in 2015 that produced a report and recommendations addressing specific actions in the broad areas of Community Relations, Non-Biased policing, and Training. We continue to pursue these objectives. We believe that the *sanctity of human life* should be at the heart of everything an agency does. Many of the reform requests, such as "Eight Can't Wait", have been operational policy for a long time.

Since then, the NCACP successfully implemented numerous strategies spearheading legislative changes, advocating grant funding, overseeing strategic changes in law enforcement training, and providing 21st Century Policing training for police chiefs. Some of those initiatives included: statewide non-biased based policing training; revisions to the state's Basic Law Enforcement Training program to include scenario-based reality training; working with legislators to enact law enforcement video laws; promoting best practice policies for Body-Worn Camera Implementation; reengineering use of force tactics, and supporting Raise the Age legislation.

These initiatives enhanced the professionalism of law enforcement resulting in comprehensive cultural changes in the profession. To build upon these initiatives, the NCACP recently formed the Police Professionalism Working Group to make recommendations to police chiefs, legislators, and communities to address concerns after the tragic death of George Floyd in Minneapolis that sparked a national debate about police reform. An immediate response from the NCACP included a unanimous statement condemning the officer's actions in the Floyd encounter and publishing a [NCACP Police Reform Public Safety Announcement](#) detailing the Associations initiatives and stakeholder roles on police accountability. The video received over 30,000 views.

In addition, many agencies are accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) that demonstrates police agencies' commitment to excellence in law enforcement. The NCACP has been at the forefront of developing a statewide accreditation process in order to be more cost effective and serve many additional agencies.

In preparing this report, the work group reviewed information from the International Association of Chiefs of Police (IACP), the National Organization of Black Law Enforcement Executives (NOBLE) and the Police Executive Research Forum (PERF). This report is intended as a guide for law enforcement executives and public stakeholders on attainable and appropriate recommendations to enhance existing 21st Century Policing principles and to address policing culture in North Carolina. NCACP has a new initiative to build on previous steps to improve police professionalism.

Members of the Workforce Group

Chief Mike Yaniero, Director of Public Safety, Jacksonville, North Carolina Chairperson- NCACP Policing Professionalism Workgroup Past President NCACP, 2017 North Carolina Attorney General recipient of the Dogwood Award, 2019	Chief John Letteney, Apex Police Department, Apex, North Carolina IACP 3rd Vice President NCACP Past President 2013 Governor's Appointee on the North Carolina Governor's Task Force on Racial Equity in Criminal Justice
Chief Robert Hassell, DM, Reidsville Police Department, Reidsville, North Carolina Doctorate in Management & Organizational Leadership NCACP Past President 2016 Commissioner Criminal Justice Training & Education Standards Commission	Chief Dan House, North Carolina State University, Raleigh, North Carolina NCACP Past President 2019

Chief David L. Hess, Roxboro Police Department, Roxboro, North Carolina

NCACP President 2020
IACP 40 Under 40 award recipient
Commissioner Criminal Justice Training & Education Standards Commission

Chief Catrina Thompson, Winston Salem Police Department, Winston Salem, North Carolina

NCACP Sergeant at Arms
Past Chairperson North Carolina Special Olympics
Immediate Past President of the Mental Health Association of Forsyth County Board of Directors

Chief Shawn Freeman, Black Mountain Police Department, Black Mountain, North Carolina

NCACP Region 1 Director

Chief Toby Harrison, Haw River Police Department, Haw River, North Carolina

NCACP Region 5 Director

Executive Summary

September 1, 2020

The NCACP has led efforts to improve policing and alleviate tensions between law enforcement and the public. To continue work on these objectives, the Working Group presents this report and recommendations.

The North Carolina Association of Chiefs of Police adopts the following Foundation Principles and will pursue the described goals to achieve them.

Foundation Principle One

Preservation of life is central to everything we do and the NCACP will reinforce this philosophy in police culture and training as a foundational principle.

Goals:

A.   Create a culture of trust and racial equity in our community.

    1.   The concept and methods of fair and impartial policing should be mandated in Basic Law Enforcement Training (BLET) and in-service training.

    2.   Policies and training should incorporate the duty to intervene and report misconduct or misuse of force by another officer without fear of retribution to aid in the prevention of police misconduct.

B.   Preserve life in all use of force incidents.

    1.   Use of force training should be comprehensively reformed to incorporate preservation of life in every aspect of use of force, and to integrate the existing fragmented use of force techniques and tools into a comprehensive approach.

    2.   Training in the preservation of life in crisis situations requires more than classroom instruction. De-escalation and use of force training should emphasize active scenario-based reality training that inculcates the objective of preservation of life and assesses an officer's skills and decision-making. De-escalation, use of force, and Crisis Intervention (CIT) training should be mandated in BLET and in-service training.

Foundation Principle Two

Professionalism, ethics, integrity, and accountability will be instilled and reinforced as foundational principles.

Goals:

A.   Create a culture of excellence in every police agency by improving required policies and procedures.

  1.   The newly created North Carolina Law Enforcement Agency Accreditation Program within the Criminal Justice Education and Training Standards Commission (CJETSC) should receive adequate state financial support. The Accreditation Program establishes voluntary comprehensive agency standards and oversight to ensure implementation of recommended policies and best practices to enhance professionalism.

  2.   A resource professional should be funded by the state to assist law enforcement agencies in developing policies, procedures, and best practices to enhance professionalism.   This is most needed for smaller departments with limited resources.

  3.   Professionalism involves building trust and legitimacy in the served community, and many existing local community engagement programs are successful. These efforts should be enhanced and expanded through a state grant program to fund robust and more numerous community engagement initiatives.

B.   Improve the quality and professionalism of our workforce.

  1.   The Criminal Justice Fellows Program provides a pipeline for highly qualified college educated and diverse law enforcement recruits, and should be expanded in eligibility and funding.

  2.   A police chief sets the culture and professionalism of the agency. The newly created New Chiefs Training course developed by NCACP in conjunction with the N.C. Justice Academy fills the existing void in credentialing new police chiefs. It provides essential training to new and aspiring chiefs in executive leadership and various subject areas necessary to be a successful professional chief, and should be mandatory.

  3.   Poorly performing officers ("bad cops") exist, and they must be identified and eliminated from law enforcement.   An agency considering an applicant should be required to consult CJESTC information concerning officer disciplinary actions.

Explanation of Recommendations

Foundation Principle 1
Preservation of Life

Preservation of life must be at the heart of everything a law enforcement agency does. Law enforcement must reinforce this principle in everything we do including training philosophies, policies, and application of policing. To reinforce this principle, NCACP recommends fundamental changes in policing culture and training.

Preserving Life

The **sanctity of human life** should be at the heart of everything that our Police Departments do. We are committed to constantly reinforcing that goal and philosophy. Law enforcement agencies extensively trains (and re-trains) officers in use of force and escalation techniques. We need to encourage agencies to no longer utilize the historic standard actions based on the decision-making continuum of "shoot/don't shoot". That was the conventional wisdom for decades resulting in officers frequently make split-second decisions that had life or death consequences. The re-engineered Use of Force principles includes Police Tactics Training, Response to Resistance and Scenario Training, Crisis Intervention Training, making an assessment of the situation and slowing the situation down before acting, utilizing verbal de-escalation strategies and communicating with the subject to seek a resolution.

NCACP encourages a critical decision-making model for all of our agencies.

Scenario Base Reality Training

Law enforcement can no longer accept the independent silo training of various techniques and tools. Rather, training must incorporate decision making under stress to properly predict and evaluate how an officer will likely respond to a given situation.

Training involving use of force must be comprehensively revised. Relevant training must transition into more scenario-based reality training that duplicates real encounters a law enforcement officer will likely experience. Assessing an officer's knowledge, skills, ability, and decision making are vital to reinforcing preservation of life. Vital to this concept, is the instructor's role to reinforce preservation of life decisions to the extent feasible when actual life is in imminent danger.

NCACP supports the current NCJA Job Task Analysis with additional emphasis to create introductory BLET courses for CIT, biased policing, and verbal de-escalation.

NCACP recommends BLET, in-service and instructor training programs incorporate reality-based role play training that evaluates comprehension and decision making to preserve life.

De-escalation Training

De-escalation training is more than a buzz term. It must become a meaningful policing approach with proven effectiveness. In North Carolina, de-escalation training is fractured into several sub-set training course such as Crisis Intervention Team (CIT), Verbal de-escalation/tactics, fair and impartial policing, and constitutional policing.

Combined, these courses equip officers to make sound legal decisions while incorporating appropriate methods to divert certain events from criminal justice system. By de-escalating situations, law enforcement is able to predictively reduce use of force encounters which could ultimately preserve life.

NCACP recommends the development a comprehensive de-escalation training for law enforcement.

Duty to Render Aid

Preservation of life must also include policies, training or applicable certifications for rending aid. In addition to requesting medical care, officers must receive training to render lifesaving aid until advanced medical care arrives on scene.

NCACP recommends all North Carolina law enforcement officers obtain training in Basic First Aid & CPR.

PRESERVATION OF LIFE MUST BE AT THE HEART OF EVERYTHING A LAW ENFORCEMENT AGENCY DOES.

Foundation Principle 2
Enhancing Professionalism

Professionalism is the cornerstone of the law enforcement profession. Professionalism embeds ethics, integrity, accountability, and respect for others. The International Association of Chiefs of Police (IACP) Oath of Honor teaches officers these foundational principles.

IACP Oath of Honor

On my honor,
I will never betray my badge,
my integrity, my character,
or the public trust.
I will always have
the courage to hold myself
and others accountable for our actions.
I will always uphold the constitution
my community and the agency I serve

Within the culture of 21st Century Policing, North Carolina law enforcement has several existing methods of accountability to uphold ethics, integrity and professionalism.

North Carolina Criminal Justice Education and Training Standards Commission

The Commission plays a vital role in enhancing North Carolina law enforcement professionalism. The Commission is comprised of 32 appointees representing diverse perspectives and has the responsibility to approve training, certify law enforcement professionals, and hold officers accountable. In 2019, the Commission investigated 129 allegations of officer misconduct.
The Commission decertifies law enforcement officers who violate established standards, including lack of good moral character.

NCACP supports the Commission having a public database of decertified officers, and mandating that agencies consult Commission information concerning an applicant's disciplinary history.

State Accreditation of Law Enforcement Agencies

Accreditation standards for law enforcement are critical to maintaining accountability of a law enforcement agency practices and policies. The Commission on Accreditation for Law Enforcement Agencies (CALEA), is an international accreditation that agencies can voluntarily seek. CALEA accreditation reduces liability to agencies and ensures oversight of proper policies and practices. For small law enforcement agencies, the cost of CALEA accreditation exceeds fiscal capabilities.

North Carolina law enforcement agencies who are insured by the North Carolina League of Municipalities may seek the Risk Management accreditation, at no cost. This accreditation ensures participating agencies implement best practice policies that provide oversight, accountability, and reduce liability.

What is lacking in North Carolina is a comprehensive state wide Accreditation Program for all local law enforcement agencies. While groundwork to develop such a program exists, funding for administrative staffing and implementation costs have not been provided. Now is a critical time for adequate funding to support a state accreditation for law local enforcement agencies

NCACP recommends the State of North Carolina provide funding and authority for the Commission of a State Accreditation for Law Enforcement.

Criminal Justice Fellows Program

Implemented in 2018, the CJ Fellows program mirrors the Teaching Fellows program allowing applicants to attend obtain a field related college degree with loan forgiveness. Currently, the CJ Fellows program is only eligible to communities with less than 75,000 population. The CJ Fellows program provides opportunity to recruit and retain highly trained criminal justice employees.

The CJ Fellows program is an opportunity to develop a well-trained law enforcement workforce that reflects the diversity of the communities they serve.

Other ways to develop a diverse work force is for agencies to develop programs such as police explorers, cadets and internships.

NCACP recommends the State establish a grants fund for police cadet programs.

NCACP recommends expansion and increased funding for the CJ Fellows program.

2019 CJ Fellows recipients and CJETSC Commissioners on the CJ Fellows Committee

Mandatory New Chiefs Training

Currently, there here is no specific training or credentialing of persons serving as a Chief of Police. NCACP piloted a New Chiefs Training Course in 2019 in partnership with the North Carolina Justice Academy. The pilot program developed 21 hours of executive level training including aspects of professionalism, leadership, and various subject areas necessary to be an effective chief. The New Chiefs Training Course certified 50 new or aspiring Chiefs of Police in its first program.

Similar to the North Carolina Sheriffs Association's Sheriff's Institute, the New Chiefs Training Course is foundational training for a law enforcement agency head.

NCACP recommends completion of the New Chiefs course should be required soon after or prior to appointment as a police chief.

Require membership in NCACP

The North Carolina Association of Chiefs of Police is committed to enhancing the professionalism of policing in North Carolina. The Association provides multifaceted avenues to inform members on important legislation, training, emerging trends, and guidance. Currently, approximately 220 of the 500 chiefs of police are members. It is imperative that all chiefs of police be active members of the Association. Police chiefs in North Carolina need the services provided by the Association to ensure professionalism, ethics, legitimacy, provides best practice policies, and public trust is maintained in our profession.

NCACP recommends that NCACP membership be mandated for Chiefs of Police in North Carolina

Professional Law Enforcement Liaison

A qualified resource person should be funded by the State to assist local police departments in identifying and implementing policies, best practices, and training. Thirty percent of law enforcement agencies in the state have less than 11 sworn law enforcement officers and do not have the resources to identify and implement desirable policies and procedures. The resource person could be a consultant under the management of the NCACP, or attached to the North Carolina Justice Academy or UNC School of Government.

NCACP recommends that the state fund a Law Enforcement Liaison Consultant.

Identifying and Elimination of Problem Officers

Law enforcement officers who demonstrate lack of adherence to established standards of conduct must be eliminated from the profession. Sometimes these officers are terminated from an agency and try to migrate to another law enforcement agency.

NCACP recommends that consideration of any applicant include mandatory review of CJEST Commission disciplinary information as a part of background investigations for employment.

Community Relations

The basic mission of law enforcement is to protect and serve the public. Law enforcement is only as effective as relationships within the community. Those relationships must include all segments of the community.

Intentional Engagement with Communities of Color

Recognizing that communities of color often distrust law enforcement, agencies must be committed to building relationships within the community. Innovative approaches to building trust and legitimacy may require law enforcement to get out of their comfort zone. Law enforcement must find meaningful opportunities to build sustainable relationships of trust, legitimacy and empathy as guardians of our communities.

Agencies in the Triangle and Fayetteville, for example, are hosting Barbershop Rap Sessions in Black-owned barbershops where conversations between the police and communities of color are hosted to build bridges of trust and legitimacy. This example of innovative community policing changes the culture of policing by building mutual respect for each other.

Agencies should also ensure that community policing programs such as Citizen Police Academies include diversity of citizens. Citizen Police Academies should be educational, informative, and share information that helps dispel myths, rumors, and false perceptions of law enforcement.

NCACP recommends that every police agency pursue initiatives to build levels of understanding and mutual trust with individuals and groups such as the NAAC, religious leaders, community activists, and local business owners and nonprofits to foster engagement in communities of color.

Barbershop Rap Session. Headliners, Cary, NC

Photo credit: WUNC 91.5 radio

Engage Youth & Special Populations

Law enforcement should build community policing programs involving youth, including special populations. Building relationships of trust and legitimacy earlier in the lives of young people helps to break down systemic barriers of distrust.

Programs such as Police Athletic Leagues, Police Explorers, Youth Citizen Police Academies, coaching youth sports and engagement with SROs provide non-enforcement opportunities to build relationships.

Engaging special populations of youth is vital in engaging all segments of the community. Events such as Cops CARE (Cops Autism Recreation Event) or innovative approaches such as the Winston Salem Police Bomb Squad "beeping egg" hunt for blind children, are examples of how departments can engage special populations.

NCACP recommends that the State provide a grant program for agencies to develop and host community engagement initiatives.

Winston Salem Police Bomb Squad Commander uses beeping Easter eggs for visually impaired children.

Photo credit: Winston Salem Journal

Roxboro Police Department Cops CARE event hosting a respite for families with autistic children.

Haw River Police Department National Night Out 2019

Conclusion

The North Carolina Association of Chiefs of Police continues its efforts to improve law enforcement in North Carolina, and presents this *Principles and Recommendations on the Evolution of 21st Century Policing* information and recommendations in furtherance of this objective. To meet the challenges facing policing today and into the future, the NCACP wants to be clear that our goal is to **preserve life** and improve the quality of life in the communities in which we work and police. In addition, the NCACP is committed to provide the elements of procedural fairness to foster trust in the authorities' motives. This involves treating citizens with dignity and respect, a sense of decision-maker neutrality and providing citizens with an opportunity to participate in the decision.

More than 160 attendees received Constitutional Policing training from the Police Executive Research Forum. Annually, the Association trains hundreds of police chiefs and their command staff on a variety of legal, community policing, and executive level training needs.

North Carolina Association of Chiefs of Police Training Conference 2018.

For the BLET:
Multiculturalism:
Policing the Different DNAs

Dr. Maria (Maki) Haberfeld

Culture (Hall, 1959)

- Culture hides much more than it reveals and, strangely enough, what it hides, it hides most effectively from its own participants.

Prejudice in Law Enforcement (Shusta et. al 2004)

- Some questions asked of police officers in a cultural diversity program:

"Raise your hand if you are a racist" – Not a single officer raised a hand.

" Raise your hand if you think that prejudice and racism exist outside this agency" Most officers raised their hands.

"Then where were you recruited from?"

Close Contact Training Module

- Principle 1.

  There should be no mixing of ranks (contradictory to the equal-status hypothesis).

CC - continues

- Principle 2.

Intensity can be achieved only over a lengthy period of time, not in modules lasting from one to three days.

CC - continues

- Principle 3.

The training module has to be introduced from the very start of the training session, to eliminate the creation of competitive group relations.

CC - continues

- Principle 4.

A cooperative task has to be assigned from week 1 of the academy, a task that requires input from all the participants.

Stress Management

Dr. Maria (Maki) Haberfeld

OVERNIGHT SUPERVISOR

- Congratulations! You're a supervisor

- The dilettante approach

- No centralized control or assessment of advanced training

The TQM Approach

- Make customer satisfaction the primary goal and ultimate measure of service quality

- Broaden the definition of "customer" – internal and external

- Develop a common vision – based on the extended customer requirements

The TQM Approach

- Provide expanded education and training and self-improvement opportunities – leadership skills

- Recognize, support, and acknowledge employee loyalty, trust and team participation

- Provide the proper tools and training for EVERYONE to respond extended customer requirements

TQM in Police Environments – Reality Check

- One customer's satisfaction is another customer's dissatisfaction
- Not enough leaders in l/e to set clear and visible quality values
- Resources for training and education are scarce
- Police work is still reactive in nature

TQM in Police Environments – Reality Check

- Fast response to customer need does not guarantee satisfaction
- Prevention of certain problems such as: gambling, drugs, prostitution – limited
- Improvement is conditioned upon resources that are controlled by external environments

STRESS………..

- The Daily Encounters

- The "41" Shots

- The Off-Duty Encounter

Police are Haunted by Accountability

- Internal

- External

- The Media

- The Public

Stress Management Training

- Starting at the BLEA
- In service MANDATORY for EVERBODY
- The F.I.T. Model – Feelings

  Inputs

  Tactics

JOSH STEIN
ATTORNEY GENERAL

TREVOR ALLEN
DIRECTOR

August 13, 2020

NC Task Force on Racial Equity in Criminal Justice
Working Group #2
C/O Jeff Welty, Substantive Lead
Via Email

Mr. Welty,

Thank you very much for reaching out to me with regard to current and planned training courses in the arena of use of force offered via the NC Justice Academy. I have included in this letter the input from two of our subject matter experts. These two individuals currently serve as Instructor/Developers at the Justice Academy, are former law enforcement officers, and are Specialized Subject Control/Arrest Techniques Instructors.

The purpose of this letter is two-fold:
1. To express a concern regarding the use of the term 'chest compression'. This term was included in the Task Force's first recommendation, dated July 24, 2020; and

2. To detail the use of force training developed and delivered by the NC Justice Academy

Task Force Recommendation

The recommendation made on 7.24.20 specified:

The Task Force recommends that all North Carolina law enforcement agencies enact a Use of Force policy that, at a minimum, prohibits neck holds. Law enforcement agencies should consider using the sample policy language below.

- *Sample Policy Language "NECK HOLDS PROHIBITED. Law enforcement officers shall not use chokeholds, strangleholds, Lateral Vascular Neck Restraints, Carotid Restraints, **chest compressions**, or any other tactics that restrict oxygen or blood flow to the head or neck unless necessary to protect the life of the officer."*

The Task Force recommended policy language that would prohibit "chest compressions" along with any form of neck hold. The intent for this is presumably to prevent the use of techniques that could possibly result in unintentional injury or death due to positional asphyxiation.

A necessary and common aspect of controlling a resisting suspect involves taking the suspect to the ground and attempting to immobilize the suspect while further attempting to control and then secure the suspect's arms and hands. This is necessarily accomplished by applying the bodyweight of the officer (or officers) to the suspect to prevent him from moving so that further control can be established. This may include sitting astride a suspect's torso (suspect face up, sideways, or face down), or even lying on top of the suspect's torso in a "side control" position. Nearly any effective attempt to "pin" a suspect to the ground long enough to control him will likely include some degree of "chest compressions". We believe it would be counterproductive to prevent these types of control techniques or strategies.

These techniques are particularly important and useful when there is a single officer attempting to control a single subject. If a single officer struggling with a subject is unable to utilize bodyweight to "pin" and control the subject, technique options are limited to enable the officer to establish control. The officer would be forced to use striking techniques, or to disengage and use intermediate weapons such as OC, baton, or Taser.

The issue of positional asphyxiation is extremely important. My opinion is that the best approach to this issue is to require training related to positional asphyxiation throughout an officer's career, in BLET SCAT and required annually in mandated in-service training. Training should include a discussion of the concept of positional asphyxia caused by excessive and/or prolonged compression of the diaphragm and/or chest of a person. Officers should be trained to be particularly careful when there are multiple officers controlling a single subject. Policy and training should acknowledge that prolonged (particularly resisted) restraint by multiple officers, obesity, prior or existing cardiac or respiratory health conditions, and the use of illicit drugs can increase the risk of death by restraint. Most importantly, this training should take the form of hands-on scenario-based use of force training rather than a one hour "on-line refresher".

Justice Academy Training

Basic Law Enforcement Training

The Criminal Justice and Sheriffs' Education and Training Standards Commissions oversee all education, training, and certification standards for law enforcement and criminal justice officers serving in North Carolina. All North Carolina law enforcement officers are required to complete the (BLET) program. The curriculum is for BLET is developed by the Justice Academy, and is delivered at 65 separate sites (community colleges and larger law enforcement agencies) throughout North Carolina. The program consists of 640 hours of training across a variety of topics, 40 hours of which are dedicated to Subject Control/Arrest Techniques (SCAT). SCAT requires lecture and demonstration on force options (pressure points, strikes, self-defense, the laws governing the use of force, documentation, control techniques, handcuffing, etc. To successfully complete SCAT students are required to demonstrate proficiency on thirty-six (36) separate control techniques. Students are also required to perform these techniques under stressful situations after a foot pursuit etc. Students are faced with ethical dilemmas as well and must choose appropriate and reasonable use of force techniques they have been shown throughout the class. The challenge with the current curriculum is one of knowledge retention and skill mastery. Mastery of 36 separate techniques is simply not possible in the small number of hours dedicated to the topic. Further, there is no state mandate for officers to demonstrate proficiency in SCAT after BLET completion. In comparison, firearms training and qualification (basic level) is mandated annually for all officers.

The Justice Academy is currently revising the entire BLET curriculum pursuant to a recent job task analysis. Although it is premature to specify the number of training hours attributed to SCAT in the new version, we are committed to addressing the challenges noted above. The focus of our curriculum developers will be on reducing the techniques from 36 to more manageable number, and increasing the practice hours for students

to better master those techniques. Any decision to mandate ongoing training and qualification similar to that of firearms would have to be made by the Training and Standards Commissions.

Advanced Training

The Justice Academy offers training related to the use force, which is not specifically mandated by the Standards Commissions. Courses such as *'Use of Force Decision-Making'*, *'Officer Safety and Readiness'* and *'Verbal Judo'* all train officers with respect to taking persons into custody, as well as the concept of de-escalation.

The Standards Commissions mandate all officers complete a minimum of 24 hours of training each year, which varies from year to year based on field demand. The Commissions direct the Justice Academy to develop additional training topics, although not specifically mandated, may satisfy the 24 mandated hours. The Commissions included a topic for 2021 titled, *'Situational Awareness/Subject Control'*, which is designed to reinforce selected techniques presented in BLET.

Frequency of training is critical in all areas of training, and critical in the area of SCAT and use of force. In both BLET and advanced training, we recommend more frequency in training and proficiency demonstration.

OVERVIEW OF PRE-WORK THEMES

Professor Maki Haberfeld

- Two-pronged approach to training:
  - *IST to address current topics of import*
  - *BLET to establish what we want the next generation of officers to look and act like*

- Start some topics during BLET but then mandate repetition every year through IST
  - *IST to focus on the consequences of breaking departmental policy: may not be able to change the type of person they are but can change their behaviors to some extent*
  - *Trauma, Mental Health and Stress Management – every year*

- Tiered leadership training
  - *Starts at BLET because law enforcement are leaders on the street*
  - *Different levels of IST for people in leadership positions*

- Ethics and Integrity have to be weaved into every single lesson plan and enforced by culture
  - *Stand-alone ethics trainings are liability coverage*

- IQ + EQ + SQ + CQ = Successful leader

Professor Maki Haberfeld

- Recommended changes to our BLET and IST programs
  - *Problem Solving and Communication Skills should be given more than 8 hours to impart real knowledge and attitude change*
  - *Mental Illness training should be broken into two parts: 1) how to respond to people with mental illness and 2) how to deal with one's own mental illness (ie Stress Management Training)*
  - *Include Ethics in every block*
  - *Double the number of BLET hours to accomplish these tasks*
    - Dallas TX program is a model, 36 weeks
    - It takes 1000 hours to become a hairdresser

Professor Kyle McLean

- There is no large body of research regarding efficacy of BLET training because it doesn't lend itself to experimentation

- IST topics are more likely to have research behind them
  - *Procedural Justice Training – Chicago study has shown to reduce UOF incidents*
  - *CIT – officers report they are better equipped to deal with the public even if they are not certified CIT officers*
  - *Social Interaction and De-escalation Training – not much research on efficacy, ongoing studies in AZ, OH, KY*
  - *Implicit Bias Training – not much research at all regarding efficacy. Know bias exists, just not sure training helps eradicate it.*
  - *Active Bystander Training – ongoing studies, NOLA's EPIC program, shown to reduce misconduct*

Professor Kyle McLean

■ Four Best Practices for Training

1. *Practice should be repetitive.*
    • Regularly practicing skills keeps them front of mind. "5 minutes of action"

2. *Practice should include realistic components – move beyond the lecture.*
    • Reality-based, use of actors, video exercises

3. *Use bodycam during training.*
    • Examine privacy/personnel laws
    • Best way to critique performance

4. *Training must be linked to policy.*
    • Do the training, have a policy requiring it, train on consequences of policy (ex: de-escalation, duty to report)

RTI International

- Trainings such as racial equity, de-escalation, and implicit bias lack common curriculum and definition.

  – *Very few have been rigorously evaluated to determine if they are effective at improving the intended outcome*

  – *Training focused on one-time or yearly requirements don't address the issue of changing an agency's culture*

RTI International

- Suggested considerations:

1. Data on effectiveness is extremely limited.
   - *Recognition that police executives must move forward with changes*

2. Continuous review and testing is imperative to identify ineffective practices and unintended consequences.
   - *Are we achieving desired outcomes?*

3. How will outcomes be measured?
   - *Agency goals should be specific and measurable.*
   - *Will it be measured by collection of data? (call for service, complaints, UOF incidents)*

4. Pair both formal and informal training methods.
   - *Structured training (including observation, behavior modeling and technology-based simulations) vs mentoring and self-directed learning*

5. Delivery is critical.
   - *One-time, one-size-fits-all does not lead to lasting cultural change.*
   - *EX - Chicago's Quality Improvement Program*

Discussion Points:

1. Lack of research about topics for training requested by public and suggested by current events.
    -   *Consider implementing anyway, but ensuring yearly review to monitor effectiveness – employ help with this?*

2. Funding for staff at Justice Academy to focus specifically on development and monitoring of soft skills in policing?
    -   *Is diversity important in who is developing training?*

3. Recommended expansion of certain topic areas for training in BLET and IST?
    -   *More hours, more pervasive throughout modules*

4. What should be mandatory EVERY YEAR?

5. Ethics in every block?

6. Use of body cam in training?

7. How do we ensure that culture of agencies follows up on training?

8. How will we measure outcomes? Who will help us?